## UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA

## **CIVIL MINUTES - GENERAL**

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Karla J. Tunis  Deputy Clerk  Court Reporter  Attorneys Present for Plaintiffs:  Not Present  Not Present  Not Present  Proceedings:  Order to Show Cause Why Preliminary Injunction Should Not Issue  The Court has made a preliminary review of the Complaint filed by Sue  Ismiel & Daughters (US), Inc. ("SID") which purports to invoke jurisdiction on the basis of 28 U.S.C. § 1339 ("The district courts shall have original jurisdiction of any civil action arising under any Act of Congress relating to the postal service."). The Complaint appears to be based on the conduct of Robert Spetner ("Spetner") in violation of various postal laws, including diversion of and interference with the mails. The statute does not provide jurisdiction for such claims. Sciolino v. Marine Midland Bank-Western, 463  F. Supp. 128, 129-30 (W.D.N.Y.1979).  SID is ordered to show cause in writing no later than 4:00 p.m. July 26, 2011 why the Complaint should not be dismissed for lack of jurisdiction. The Court will not act on SID's pending application for a temporary restraining order and order to show cause re preliminary injunction until such a response is received.	Title	Sue Ismiel & Daughters (US), Inc.	v. Spetner	•			
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